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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,853	12/06/2000	James M. Hair III	PM 0271810	7885

7590

09/24/2003

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EXAMINER

LESTER, EVELYN A

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. <i>ju</i>
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EXAMINER
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ART UNIT	PAPER
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## Commissioner for Patents


The Information Disclosure Statement (IDS) originally filed on August 1, 2003, was not received prior to the mailing of the office action on August 13, 2003, so therefore was not considered. However, a copy of the IDS was subsequently provided to the Examiner, and was matched to the file, and has hereby been considered by the Examiner. A copy of the PTO-1449 is attached.

The brief disclosure directed to the MARS, Inc. vending machine and its optical vend sensing system has been especially noted by the Examiner. However, the Applicants should be aware that the information provided regarding this vending machine was so limited, therefore, a patentability determination in light of this disclosure was also limited. The emitter of the MARS, Inc. vending machine did not appear to "substantially span" the transverse cross sectional vending space (noting Figure 2 of the disclosure), nor did it indicate the probable product sizes (with respect to claim 98) which would be vended (however, interpreting Figure 3 of the disclosure, the product sizes all appear to be approximately the same size). Further, this particular vending machine would appear not to need a transparent front.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to E.A. Lester whose telephone number is (703) 308-4943. The examiner can normally be reached on Monday-Friday from about 9:30 am to 6 pm (subject to an extended flex schedule).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps, can be reached on (703) 308-4883. The fax number for Technology Center 2800 is (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
Evelyn A. Lester  
Primary Examiner  
Art Unit: 2873